

The Intercept Media, Inc. v. OpenAI, Inc., et. al.

Case No. 1:24-cv-01515-JSR

Exhibit 5

to Plaintiff's First Amended Complaint

A data scientist employed by Plaintiff's counsel extracted the content of web pages originating from theintercept.com that are contained in the C4 set described in Plaintiff's First Amended Complaint. This exhibit contains three examples of that content, which is entirely text. Each sample begins with the URL of the webpage followed by the webpage's entire content as it appears in C4:

Sample 1: <https://theintercept.com/2016/03/27/house-gop-muslims/>

March 27 2016, 4:01 p.m.

IN THE RUN-UP to oral arguments before the Supreme Court this week to challenge the Affordable Care Act's requirement that employers' health care plans cover birth control, Republican lawmakers held a series of events to highlight the importance of religious liberty. Conservatives claim that the law, which requires insurance companies to cover contraception, violates the religious rights of Catholic nuns.

That commitment to religious freedom, however, does not appear to extend to Muslim Americans.

On Tuesday, in reaction to the terror attacks in Belgium, Texas Sen. Ted Cruz called for law enforcement to preemptively "patrol and secure Muslim neighborhoods before they become radicalized." Later that day, The Intercept attended a press conference organized by House Republicans to champion religious liberty ahead of the Supreme Court contraception case. The Intercept asked the lawmakers at the religious liberty press conference to respond to Cruz's proposal for police to specifically target Muslim communities. The GOP lawmakers, including Reps. Trent Franks, R-Ariz., Virginia Foxx, R-N.C., Jody Hice, R-Ga., and Mike Kelly, R-Pa., uniformly refused to comment.

"I'm not going to address that," said Franks, adding, "Go Cruz!" when asked about the police proposal.

Sample 2: <https://theintercept.com/2015/08/05/martin-omalley-just-prior-populist-presidential-bid-steered-democrats-pro-business/>

August 5 2015, 6:26 p.m.

As he campaigns for the presidency this year, Martin O'Malley has cast himself as a populist "public enemy" of Wall Street and a champion of the working class against America's monied elite.

But only a year ago, O'Malley was working with corporate lobbyists to recruit business-friendly politicians into the Democratic Party.

In 2011, O'Malley co-founded a group called The NewDEAL, a nonprofit described as an effort to highlight the work of "pro-business progressives." Rather than championing anti-bank populists, the group worked to promote moderate Colorado Gov. John Hickenlooper and former Miami Mayor Manny Diaz, now an attorney who counts Walmart as a client.

The website for The NewDEAL does not list board members. But the group's annual tax filing does, revealing a number of lobbyists who helped oversee the group. Under O'Malley's leadership, the board of the group included Comcast vice president for federal affairs Melissa Maxfield, public relations executive Claude Fontheim, and lobbyists James Bonham and John Michael Gonzalez.

Gonzalez's lobbying firm, Peck Madigan Jones, represents the very Wall Street interests O'Malley now decries. The firm recently lobbied on behalf of a trade group that represents Goldman Sachs and JPMorgan Chase, among other banks, on efforts to slow down Dodd-Frank reforms through cost-benefit analysis reports.

I obtained a list of contributors to the NewDEAL group, and listed them in a piece last year for Vice. One of the corporate benefactors to his group was the Private Equity Growth Capital Council, a lobbying group for the private equity industry.

Critics have noted that O'Malley campaign as a populist stands in sharp contrast with a career of moderation. In 2007, as co-chair of the Democratic Leadership Council, a group dedicated to promoting business-friendly politicians, O'Malley authored an opinion column for the Washington Post with Harold Ford urging Democrats not to stray too far from the "center" of politics.

In 2012, when O'Malley chaired the group, the Democratic Governors Association collected donations from Sallie Mae, Highstar Capital, Wells Fargo and VISA, among other financial industry firms.

According to one recent report, O'Malley has also reached out to bankers for contributions, meeting in recent months with officials from Morgan Stanley.

O'Malley's campaign did not respond to a request for comment.

Sample 3: <https://theintercept.com/2016/09/23/brazils-big-media-ignores-temers-confession-except-estadao-columnist-who-falsely-claimed-video-was-altered/>

September 23 2016, 2:57 p.m.

The Intercept Brasil's Inacio Vieira yesterday reported one of the most significant pieces of evidence yet about the real reason for the impeachment of Brazil's elected president, Dilma Rousseff. Speaking to a group of U.S. business and foreign policy elites, the country's installed president, Michel Temer, admitted that what triggered the impeachment process was not any supposed "budgetary crimes," but rather Dilma's opposition to the neoliberal platform of social program cuts and privatization demanded by Temer's party and the big-business interests that fund it.

But what's as revealing as Temer's casual acknowledgement of coup-type motives is how Brazil's large media — which is united in favor of impeachment — has completely ignored his comments. Literally not one of Globo's countless media properties, nor the nation's largest newspaper, Folha, nor any of the nation's large political magazines have even mentioned these stunning and incriminating remarks from the country's president. They've imposed a total blackout. While numerous independent journalists and websites have reported Temer's admission, none of Brazil's major media outlets have uttered a word about it.

The only exception to this wall of silence was a columnist from the right-wing newspaper *Estadão*, Lúcia Guimarães, who spent several hours on Twitter yesterday completely humiliating herself in a spirited attempt to deny that Temer actually said this. She began by insinuating that The Intercept Brasil made a suspicious "cut" in the video that altered reality — basically accusing Vieira of committing fraud without the slightest evidence, all to protect Temer. Then, after a Folha columnist sent her a link to the full video showing that nothing was distorted, she nonetheless announced that she would only believe Temer said this once she saw the drives from each camera simultaneously played, and she added that what made the story so suspicious was that President Temer is a best-selling author of a book on constitutional law who would not say such a thing about impeachment. Only once the full transcript of Temer's remarks was posted would she finally admit that he really said it, but rather than retract her false accusations or apologize to Vieira and The Intercept Brasil for having implied the video was fraudulently edited, she instead simply posted the relevant part of Temer's remarks without reference to her prior efforts to smear Vieira, as though she were the one who discovered and was reporting these comments for the first time. Even once she did finally admit the truth about Temer's remarks, she bitterly claimed that impeachment opponents were turning the story into a "carnival" and celebrating the revelation.

Although she was forced into it by virtue of having embarrassed herself, all to defend Temer, at least this *Estadão* columnist acknowledged the existence of this obviously big story. The rest of the large Brazilian media has completely ignored it. Just contemplate that: The installed president of the country admits to a room full of oligarchs and imperialists in New York that he and his party impeached the elected president for ideological and policy reasons, not because of the stated reasons, and the entire big Brazilian press pretends that it never happened, refuses to inform Brazilians about what the installed president admitted, and ignores the huge implications for what this illuminates about Dilma's removal.

There's a reason Reporters Without Borders dropped Brazil to 104th in its world press freedom rankings and denounced the country's large corporate media as a threat to democracy and a free press. As the Brazilian activist Milly Lacombe put it this morning: "Temer confesses to the coup,

there exists a recording of the confession, and our corporate media hides what he said. Is that sufficient, or do you need more?” Through their disgraceful silence, they just provided one of the most vivid examples yet of the truth of RSF’s denunciations.